

AARON D. FORD
Attorney General
KATLYN M. BRADY (Bar No. 14173)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
(702) 486-0661 (phone)
(702) 486-3773 (fax)
Email: katlynbrady@ag.nv.gov

*Attorneys for Defendants Guy Brown,
Tito Buencamino, Marie Cervas, James Cox,
James Dzurenda, and Jerry Howell*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SAMUEL BELTON,

Plaintiff,

v.

JAMES COX, *et al.*,

Defendants.

Case No. 2:17-cv-03125-RFB-VCF

**STIPULATION TO WITHDRAW
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT (ECF NO. 29)**

Plaintiff Samuel Belton, by and through counsel, Michael Hua, Esq., and Defendants Guy Brown, Tito Buencamino, Marie Cervas, James Cox, James Dzurenda, and Jerry Howell ("the NDOC Defendants"), by and through counsel, Aaron D. Ford, Nevada Attorney General, and Katlyn M. Brady, Deputy Attorney General, agree and stipulate to the following:

On February 10, 2020, this Court referred this matter for the appointment of pro bono counsel. ECF No. 27.

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On April 8, 2020, Defendants filed a motion for summary judgment. ECF No. 29. To date, no opposition has been filed and this Court has yet to issue an order regarding Defendants' motion.

On October 6, 2020, Michael Hua entered an appearance as pro bono counsel for Samuel Belton. ECF No. 34.

The parties have agreed that it may be necessary to amend the Complaint and reopen discovery in this matter. The parties have additionally agreed that Defendants may refile the motion for summary judgment following the close of discovery. Accordingly, the parties stipulate and agree that Defendants may withdraw their Motion for Summary Judgment (ECF No. 29) and may file a dispositive motion at a later date.¹

DATED this 21st day of October, 2020.

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AARON D. FORD
Attorney General

By: /s/ Michael Hua
MICHAEL HUA, ESQ.
Nevada Bar No. 14547
500 S. 8th Street
Las Vegas, Nevada 89101
Attorneys for Plaintiff

By: /s/ Katlyn M. Brady
KATLYN M. BRADY, ESQ.
Nevada Bar No. 14173
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
Attorneys for the NDOC Defendants

ORDER

For good cause appearing, it is **SO ORDERED** that Defendants' motion for summary judgment (ECF No. 29) is withdrawn. Defendants may refile this motion at a later time.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 21st day of October, 2020.

¹ The parties intend to submit a stipulation and order reopening discovery shortly.